

1341 CONDITIONAL RELEASE SUPERVISION

Chapter: **Juvenile Justice Field Services**

Section: **Youth Supervision**



New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive: **19-13**

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Approved:

Joseph E. Ribsam, Jr., DCYF Director

Related Statute(s): [RSA 169-B](#), [RSA 169-D](#), and [RSA 170-G](#)

Related Admin Rule(s):

Related Federal Regulation(s):

Related Form(s): **FORM 1341, FORM 1540, FORM 1550CS, and FORM 1553J**

Bridges' Screen(s) and Attachment(s):

The Division for Children, Youth and Families (DCYF) is committed to professionalism in its delivery of juvenile probation and parole services. Juvenile Justice Services (JJS) promotes the belief that everyone deserves to be safe and incorporates this into their work when supervising youth on conditional release pursuant to RSA 170-G:16. The culture of safety extends beyond those children, youth, and families that we serve to include victims, communities, and employees. Policy, training, and practice shall be focused on meeting these standards.

Purpose

This policy establishes the procedures for the supervision of youth on conditional release in New Hampshire.

Definitions

"Child in Need of Services" or "CHINS" means a child/youth under the age of 18:

1. Who is subject to compulsory school attendance, and is habitually, willfully, and without good and sufficient cause truant from school;
2. Who habitually runs away from home, or who repeatedly disregards the reasonable and lawful commands of their parent(s)/guardian/custodian, and places themselves or others in unsafe circumstances;
3. Who has exhibited willful repeated or habitual conduct constituting offenses which would be violations under the criminal code of this state if committed by an adult or, if committed by a person 16 years of age or older, would be violations under the motor vehicle code of this state; or
4. With a diagnosis of severe emotional, cognitive, or other mental health issues who engages in aggressive, fire setting, or sexualized behaviors that pose a danger to the child/youth or others and who is otherwise unable or ineligible to receive services under RSA 169-B or RSA 169-C; and
5. Is expressly found to be in need of care, guidance, counseling, discipline, supervision, treatment or rehabilitation.

"Conditional Release" means a legal status created by court order following an adjudication of a youth that permits the adjudicated youth to remain in the community, subject to: compliance with conditions and limitations of conduct prescribed by the court; treatment prescribed by the court;

supervision by a JPPO; and return to court and change of disposition during the term of conditional release for any violations thereof (see: RSA 169-B:2, VIII and RSA 169-D:2, VI).

"DCYF" or the **"Division"** means the Department of Health and Human Services' Division for Children, Youth and Families.

"Delinquent Youth" or **"Delinquent Minor"** means a person who has committed an offense before reaching the age of 18 years which would be a felony or misdemeanor under the criminal code of this state if committed by an adult, and is expressly found to be in need of counseling, supervision, treatment, or rehabilitation as a consequence thereof. (see: RSA 169-B:2, IV).

"JPPO" or **"Juvenile Probation and Parole Officer"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Juvenile Probation and Parole Officer.

"JPPS" or **"Juvenile Probation and Parole Supervisor"** means the job classification of a person with the powers and authority granted under RSA 170-G:16, employed to perform supervisory-level Juvenile Probation and Parole functions under the supervision of a Juvenile Justice Services Field Administrator.

"Supervision" means authorized and required oversight by a JPPO of a youth who, following adjudication by a NH court as a "delinquent minor" or "child in need of services," is subject to a term of "conditional release."

Policy

- I. This policy shall apply to:
 - A. Minors adjudicated delinquent and subject to a term of conditional release as ordered by a New Hampshire court; and/or
 - B. Children adjudicated child in need of services (CHINS) and subject to a term of conditional release as ordered by a New Hampshire court.
- II. Supervision and intervention is subject to the specific Conditions of Release document (Form 1341) prepared by the JPPO, which is consistent with the court order of disposition.
 - A. The assigned JPPO shall provide supervision of youth who have been conditionally released by the Court.
 - B. The JPPO will attempt to assist the youth in engaging in a law-abiding life while monitoring the youth's behavior in the home, at school, and in the community.
 - C. The JPPO shall maintain consistent supervision with the youth for the purpose of:
 1. Ensuring compliance by the youth with the terms of conditions of release for reporting to the court;
 2. Discussing progress, challenges, and issues; and
 3. Providing appropriate interventions, sanctions, and services to effectuate positive change.

- D. The JPPO shall maintain consistent contact with the youth's parents and other appropriate collaterals.
- III. Supervising JPPOs are required to report violations of conditional release and court orders to the appropriate court.
 - A. Violations filed must be in compliance with policy 1342 Conditional Release Violations.
- IV. Upon notification that a NH court has placed a youth on conditional release in their jurisdiction, the JPPS shall assign the case to a JPPO who will meet with the youth and their parent(s), guardian, or legal custodian, preferably directly following the court hearing, but not later than three (3) business days after said hearing.
 - A. During the initial meeting, the JPPO will:
 - 1. Review the dispositional orders with the youth and their parent(s), guardian(s), or legal custodian(s); and
 - 2. Review and complete the Conditions of Release (Form 1341) and provide a copy of the completed form to the youth and their parent(s), guardian(s) or legal custodian(s).
- V. The JPPO will schedule a follow-up supervision meeting to:
 - A. Ensure that all appropriate JJS case paperwork is completed, including but not limited to the following:
 - 1. A Youth Information Sheet (Form 1553J);
 - 2. Authorization to Release Confidential Information (Form 1540), as needed for:
 - (a) Obtaining ongoing information regarding the youth's academic progress, attendance, and conduct from their assigned school; and
 - (b) Obtaining ongoing progress information from any agencies where the youth or family members are required by the dispositional orders to receive services; and
 - 3. A Community Supervision Plan (Form 1550CS);
 - B. Photograph the youth pursuant to policy 1344;
 - C. Establish a supervision reporting schedule with the youth;
 - D. Create a payment schedule with the youth for any monetary restitution requirements imposed by the Court when the court order requires collection by DCYF;
 - E. Provide the youth and family members with information necessary to comply with any court-ordered requirements for:
 - 1. Services;

2. Placements and programs, including diagnostic and treatment services; and
 3. Community service; and
- F. Obtain copies of the following documents from the family when appropriate and necessary:
1. Youth's birth certificate;
 2. Youth's Social Security Card;
 3. Youth's health insurance or Medicaid Identification Card; and
 4. Youth's immunization record.
- VI. During the supervision period, the JPPO shall assist the youth in successfully completing their conditional release requirements by:
- A. Conducting scheduled and unscheduled visits with the youth at the youth's home, school, workplace, other locations in the community, and/or at the JPPO's office;
 1. These visits must be a minimum of at least once per month, with additional visits conducted based on assessed risk;
 - B. Maintaining ongoing contact with the youth's parent(s), guardian(s), or legal custodian(s) at least monthly;
 - C. Maintaining frequent and ongoing contact with the youth's school, service providers, and other appropriate community supports;
 - D. Monitoring the youth's behavior and activities;
 - E. Referring the youth and family to appropriate, available community resources; and
 - F. Obtaining and reporting on the youth's compliance with court orders and conditions of release.
- VII. The JPPO documents any contacts with the youth, family, community supports, and others related to the case, in the case record.
- VIII. Case reviews between the JPPO and their JPPS will occur at least once every month. The case reviews are designed to ensure supervision level and services are adjusted based on the youth's behavior.
- IX. Conditional release supervision continues until the terms of conditional release expire or are terminated pursuant to the originating Court's order (including orders from a court of jurisdiction in a sending state under the Interstate Compact).

Practice Guidance

What should I do if the Court has not held or scheduled a hearing in the past 12 months?

- If the Court has not scheduled the annual dispositional review hearing required by statute (RSA 169-B:31 or RSA 169-D:21), then the JPPO shall file a timely "Motion for Annual Review" with the Court,

requesting the scheduling of the review hearing (excluding those youth supervised pursuant to the *Interstate Compact for Juveniles* who are not subject to NH court jurisdiction).

What do I do if an ICJ case will be closing?

- Notify the Interstate Compact for Juveniles Deputy Compact Administrator (DCA) of the date of closure and provide any information as required by policy 1594.

Is there anything specific that should be covered in the final meeting with the youth?

- When the period of conditional release approaches the expiration/termination date the JPPO will conduct a final conversation with the youth and family to discuss the youth's progress, accomplishments, and future planning.